



PAUL J. PASCUZZI, State Bar No. 148810  
JASON E. RIOS, State Bar No. 190086  
THOMAS R. PHINNEY, State Bar No. 159435  
FELDERSTEIN FITZGERALD  
WILLOUGHBY PASCUZZI & RIOS LLP

The following constitutes the order of the Court.  
Signed: June 9, 2023

500 Capitol Mall, Suite 2250  
Sacramento, CA 95814  
Telephone: (916) 329-7400  
Facsimile: (916) 329-7435  
ppascuzzi@ffwplaw.com  
jrios@ffwplaw.com  
tphinney@ffwplaw.com

Charles Novack  
U.S. Bankruptcy Judge

Attorneys for  
The Roman Catholic Bishop of Santa Rosa

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SANTA ROSA DIVISION

In re:  
  
THE ROMAN CATHOLIC BISHOP OF  
SANTA ROSA,  
  
Debtor In Possession.

Case No. 23-10113

Chapter 11

Date: June 7, 2023  
Time: 11:00 a.m.  
Location: 1300 Clay Street, Ctrm. 215  
Oakland, CA 94612  
[In person or via Zoom]  
Judge: Hon. Charles Novack

**ORDER ON MOTION FOR APPROVAL OF (1) TERMINATION OF PRIEST'S  
SUPPLEMENTAL RETIREMENT PLAN (SERP) (2) TRANSFER OF FUNDS, AND (3)  
PAYMENT OF TRUST TERMINATION EXPENSES**

The motion of The Roman Catholic Bishop of Santa Rosa ("Debtor"), debtor in possession, for an order authorizing the Debtor to enter into a stipulation (the "Stipulation") with U.S. Bank National Association ("U.S. Bank" or "Trustee") in its capacity as trustee under the trust agreement for The Diocese of Santa Rosa Priests Supplemental Retirement Plan (SERP) (the "Trust Agreement") for turnover of the trust funds currently in the Trustee's possession pursuant to the Trust Agreement (the "SERP Trust Funds"), less the Trustee's reasonable

1 expenses and attorney fees (the “Motion”),<sup>1</sup> came on for hearing on June 7, 2023, at 11:00 a.m.,  
2 in Courtroom 215 of the United States Bankruptcy Court for the Northern District of California.  
3 The Debtor appeared through its counsel, Paul J. Pascuzzi. Other appearances were noted on the  
4 record. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This  
5 is a core proceeding pursuant to 28 U.S.C. § 157(b).

6 Based upon the Motion and supporting pleadings, any other relevant papers filed in  
7 connection with the Motion, arguments of counsel appearing at the hearing on the Motion, and  
8 for good and sufficient cause appearing,

9 IT IS HEREBY ORDERED THAT:

10 1. The Motion is GRANTED as set forth herein.

11 2. The Stipulation for Turnover of SERP Trust Funds (“Stipulation”) filed with the  
12 Motion as Exhibit B filed at Docket No. 195-2 is approved.

13 3. As provided in the Stipulation, the Trustee is directed to turn over the SERP Trust  
14 Funds to the Debtor, minus the Trustee’s reasonable expenses and attorney fees, within fifteen  
15 (15) days after entry of this order, provided that no appeal, motion for rehearing or other motion  
16 for relief from such order has been filed prior to the expiration of such period. The Court reserves  
17 the jurisdiction to resolve any dispute relating to the amount of the Trustee’s expenses and fees.

18 4. Upon receipt of the SERP Trust Funds by the Debtor, the Trust Agreement shall be  
19 deemed terminated, and all duties and obligations of the Debtor and the Trustee under the Trust  
20 Agreement shall be terminated.

21 5. Pending further order of this Court, the Debtor shall hold the SERP Trust Funds in  
22 a segregated account that is a debtor in possession account at a bank that is an authorized  
23 depository in the Northern District of California and not use them for any purpose.

24 6. All rights of all parties in interest to seek an Order of the Court that the SERP  
25 Trust Funds are property of the estate are reserved, and nothing in this Stipulation shall be  
26 construed to be a waiver of that claim.

27  
28 <sup>1</sup> All capitalized terms used but otherwise not defined herein shall have the meanings set forth in the Motion.

1  
2 APPROVED AS TO FORM.

3 STINSON, LLP

4 By: /s/ Robert T. Kugler

5 ROBERT T. KUGLER  
6 Attorneys for the Official Committee  
of Unsecured Creditors

7 FAEGRE BAKER DANIELS LLP

8 By: /s/ Michael R. Stewart

9 MICHAEL R. STEWART  
10 Attorneys for U.S. Bank National Association

11 OFFICE OF THE UNITED STATES TRUSTEE

12 By: /s/ Jason Blumberg  
13 JASON BLUMBERG

14 \*\*\* END OF ORDER \*\*\*  
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**Court Service List**

No service required.